



WILLIAM T FUJIOKA  
Chief Executive Officer

County of Los Angeles  
**CHIEF EXECUTIVE OFFICE**

Kenneth Hahn Hall of Administration  
500 West Temple Street, Room 713, Los Angeles, California 90012  
(213) 974-1101  
<http://ceo.lacounty.gov>

*"To Enrich Lives Through Effective And Caring Service"*

Board of Supervisors  
GLORIA MOLINA  
First District

MARK RIDLEY-THOMAS  
Second District

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Fifth District

October 08, 2013

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

Dear Supervisors:

**DEPARTMENT OF PUBLIC WORKS:  
MARINA DEL REY PARKING LOTS 5 AND 7 STORMWATER  
BEST MANAGEMENT PRACTICES PROJECT  
UNINCORPORATED LOS ANGELES COUNTY  
CATEGORICAL EXEMPTION  
APPROVE REVISED BUDGET  
ADOPT, ADVERTISE, AND AWARD CONSTRUCTION CONTRACT  
SPECS. 7220; CAPITAL PROJECT NO. 87155  
(FOURTH DISTRICT)  
(3 VOTES)**

**SUBJECT**

The recommended actions will find this Project exempt from the California Environmental Quality Act, adopt the plans and specifications, allow advertising for construction bids, and delegate the award of a construction contract for the Marina del Rey Parking Lots 5 and 7 Stormwater Best Management Practices Project.

**IT IS RECOMMENDED THAT THE BOARD:**

1. Find that the Marina del Rey Parking Lots 5 and 7 Stormwater Best Management Practices Project is exempt from the California Environmental Quality Act for the reasons stated in this letter and in the record of the Project.
2. Approve the revised Project budget of \$929,000 for the Marina del Rey Parking Lots 5 and 7 Stormwater Best Management Practices Project, Capital Project No. 87155, and authorize the Director of Public Works, or her designee, to deliver the Project.

3. Adopt the plans and specifications that are on file with the Department of Public Works' Architectural Engineering Division for construction of the Marina del Rey Parking Lots 5 and 7 Stormwater Best Management Practices Project at an estimated construction contract cost of \$465,000.
4. Instruct the Executive Officer of the Board of Supervisors to advertise for bids to be received and opened on November 5, 2013, in accordance with the Instruction Sheet for Publishing Legal Advertisements.
5. Authorize the Director of Public Works, or her designee, to execute a consultant services agreement with the apparent Lowest Responsive and Responsible Bidder to prepare a baseline construction schedule for a \$1,500 not-to-exceed fee funded by existing project funds, and to establish the effective date following Board approval.
6. Delegate to the Director of Public Works, or her designee, the authority to reject all nonresponsive bids and determine, in accordance with the applicable contract and bid documents, whether the apparent Lowest Responsive and Responsible Bidder has timely prepared a satisfactory baseline construction schedule that satisfies all conditions for contract award, including the criteria adopted by the Board for contract award. Upon determination that all such conditions have been satisfied, authorize the Director of Public Works, or her designee, to award and execute the construction contract, in the form previously approved by County Counsel, to the apparent Lowest Responsive and Responsible Bidder, to establish the effective date of the contract upon receipt of acceptable performance and payment bonds and evidence of required contractor insurance, and to take all actions necessary and appropriate to fully deliver the Project.

#### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

An adopt, advertise, and award Board letter is being recommended to the Board to ensure the timely completion of the proposed Marina del Rey Parking Lots 5 and 7 Stormwater Best Management Practices Project (Project) that is being coordinated and sequenced among two other Marina del Rey construction projects in the immediate project area.

Approval of the recommended actions will find the Project exempt from the California Environmental Quality Act (CEQA), adopt the plans and specifications for the Project, provide for the Project to be advertised for construction bids, authorize the Director of Public Works, or her designee, to execute a consultant services agreement with the apparent Lowest Responsive and Responsible Bidder for the preparation of a baseline schedule, and delegate the award of a construction contract for the Project.

On December 18, 2012, the Board approved the establishment of the Project, the Project budget, and appropriation adjustment for the Project. The proposed Project, located in the unincorporated County of Los Angeles area of Marina del Rey, will allow for the installation of bioretention systems at Parking Lots 5 and 7 that will improve the quality of stormwater runoff tributary to these parking areas. Drought-tolerant landscaping, and modified and new irrigation systems will also be utilized to assist in the process of clarifying the water before it enters the Marina and/or percolates into the ground.

The proposed improvements will assist the County's compliance with the Marina del Rey Harbor Mother's Beach and back basins bacterial total maximum daily load and the toxic pollutants total maximum daily load. Installation of the bioretention unit consists of the construction of various

subterranean chambers that will collect, filter, and discharge treated stormwater runoff from the parking lot. In addition, the irrigation system that serves the parking lot's landscaped areas will be modified to improve efficiency in water consumption along with the planting of drought-tolerant species. Site work, including but not limited to, minor grading, trenching, removal, and replacement of three unhealthy trees will be necessary for installation of this Project.

It is recommended that the Board authorize the Director of Public Works, or her designee, to award and execute a construction contract to the apparent Lowest Responsive and Responsible Bidder (as defined in the Facts and Provisions/Legal Requirements section of this letter). If the low bid cannot be accommodated within the approved total Project budget, a contract will not be awarded under delegated authority and the Department of Public Works (Public Works) will return to the Board with recommendations for alternative scope and/or funding.

The proposed consultant services agreement requires the apparent Lowest Responsive and Responsible Bidder to prepare a baseline construction schedule that conforms to the County's schedule specifications, which is critical to successfully manage construction activities by both the contractor and the County. Bid documents provide that if the apparent Lowest Responsive and Responsible Bidder fails to complete an acceptable construction schedule, the Director of Public Works, or her designee, may return to the Board to recommend that the bidder be determined nonresponsive and recommend awarding the construction contract to the next apparent Lowest Responsive and Responsible Bidder, contingent on that bidder completing a baseline schedule, schedule of values, and submittal list that conforms to the County's specifications.

It is anticipated that the Project will begin in April 2014. The Project may start earlier pending completion of the Admiralty Way Street Improvement project.

### **Implementation of Strategic Plan Goals**

The Countywide Strategic Plan directs the provisions of Integrated Services Delivery (Goal 3), by leveraging resources through integrated County services that result in improved outcomes (water quality) for County residents.

### **FISCAL IMPACT/FINANCING**

On December 18, 2012, the Board approved a total project budget of \$789,000 for the Project. Upon implementation of design documents, it was determined that the Public Works' fair construction cost estimate had increased by \$57,000, and that there was a requirement for on-site bird monitoring during construction and an associated increase in Project management costs estimated at \$83,000. To fully fund the Project, an appropriation adjustment in the amount of \$140,000 in net County cost, derived from Fiscal Year 2012-13 savings in Public Works General Fund Budget (UA Stormwater Program), is included in the Fiscal Year 2013-14 Supplemental Budget. The Board's approval of the budget adjustment will provide sufficient appropriation in Capital Project No. 87155.

The revised total project cost estimate for the Project is \$929,000, including plans, specifications, jurisdictional approval fees, consultant services, change orders, and County services. The proposed Project is funded by a Federal Coastal Impact Assistance Program Grant in the amount of \$392,000, and \$537,000 in net County cost allocated for Stormwater Quality Improvement projects.

The Project Schedule and Budget Summary are included in Attachment A.

Operating Budget Impact

The proposed parking lot improvements are anticipated to require ongoing maintenance with an estimated annual cost of \$20,000. The Department of Beaches and Harbors will work with the Chief Executive Office to confirm the appropriate level of maintenance and funding and will request the ongoing funds in its Fiscal Year 2014-15 Budget request.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The contract will contain terms and conditions supporting the Board's ordinances and policies, including but not limited to: County Code Chapter 2.200, Child Support Compliance Program; County Code Chapter 2.202, Contractor Responsibility and Debarment; County Code Chapter 2.203, Contractor Employee Jury Service Program; County Code Chapter 2.206, Defaulted Property Tax Reduction Program; Board Policy 5.050, County's Greater Avenues for Independence (GAIN) and General Relief Opportunities for Work (GROW) Programs; Board Policy 5.060, Reporting of Improper Solicitations; Board Policy 5.110, Contract Language to Assist in Placement of Displaced County Workers; and Board Policy 5.135, Notice to Contract Employees of Newborn Abandonment Law (Safely Surrendered Baby Law).

Applicable law, including the State Public Contract Code, requires the County to award a construction contract to the apparent Lowest Responsive and Responsible Bidder, which refers to the firm that: (1) submits the lowest bid price; (2) is deemed by the County to be "responsive" to specific criteria under the solicitation, including but not limited to, licensure, bonding, and insurance requirements; and (3) is determined by the County to have demonstrated the quality, fitness, capacity, experience, and trustworthiness to satisfactorily perform the work required under the bid solicitation.

To ensure that the contract is awarded to the apparent Lowest Responsive and Responsible Bidder with a satisfactory history of performance, bidders are required to report violations of the False Claims Act, criminal convictions, civil litigation, defaulted contracts with the County, complaints filed with the contractors State License Board, labor law/payroll violations, and debarment actions. As provided for in Board Policy 5.140, the information reported by the bidder will be considered before contract award.

Pursuant to the Board's Civic Art Policy, the proposed Project is exempt from the Civic Art fee because the work consists of improvements to infrastructure.

### **ENVIRONMENTAL DOCUMENTATION**

The proposed Project is categorically exempt from the provisions of CEQA. The Project includes the installation of a natural bioswale with native and/or drought-tolerant plants and four bioretention chambers that will clean and filter the water, and improve the water quality of runoff tributary to these parking areas before it discharges into the Marina basin and/or percolates into the ground. Modified and new irrigation systems will also be included. These proposed improvements are within certain classes of projects found not to have a significant effect on the environment in that it meets the criteria pursuant to Sections 15301(b) and (h), and 15304(b) of the CEQA Guidelines and Class 1(e), (j), (s); and (x) (14) and (18) of the County's Environmental Document Reporting Procedures and Guidelines, Appendix G. These exemptions provide for the minor alteration or repair of existing facilities, maintenance, or alteration to existing landscaping, repair of irrigation systems, and new street drainage facilities that do not discharge to private property. The Project involves negligible or no expansion of an existing use. Additionally, the Project is not in a sensitive environment and there

are no cumulative impacts, unusual circumstances, or other limiting factors that would make the exemption inapplicable based on the Project records.

The Department of Regional Planning has indicated through verification with the United States Fish and Wildlife that although funds are anticipated to be received for this Project under the Coastal Impact Assistance Program Grant, a National Environmental Policy Act environmental document is not required.

The Project will adhere to recommendations provided by the consultant biologist to ensure that there are no significant impacts to nesting birds, including surveying and monitoring prior to and during Project implementation, in the event that Project timing could impact nesting activities.

Upon the Board's approval of the proposed Project, the Director of Public Works, or her designee, will file a Notice of Exemption with the Registrar-Recorder/County Clerk pursuant to Section 15062 of the CEQA Guidelines.

### **CONTRACTING PROCESS**

A standard contract, in the form previously approved by County Counsel, will be used. The standard Board-directed clauses that provide for contract termination, renegotiation, and hiring qualified displaced County employees will be included in the contract.

As required by the Board, language has been incorporated into the Project specifications stating that the contractor shall notify its employees, and shall require each subcontractor to notify its employees that they may be eligible for the Federal Earned Income Credit under the Federal Income Tax Law (Federal Income Tax Law, Internal Revenue Service Notice 1015).

Advertising for bids will be in accordance with the County's standard Instruction Sheet for Publishing Legal Advertisements (Attachment B).

As required by the Board on February 3, 1998, this contract opportunity will be listed on the "Doing Business with Us" website, free of charge. Following receipt of bids and award of the consultant services contract for preparation of a baseline construction schedule to the apparent Lowest Responsive and Responsible Bidder, we will award a construction contract in accordance with the authority delegated in this Board letter.

The contract requires the contractor to pay its employees applicable prevailing wages in accordance with the California Labor Code.

Participation by Community Business Enterprises (CBE) in the project is encouraged through Public Works' Capital Projects' CBE Outreach Program and by monitoring the good faith efforts of bidders to utilize CBEs.

A copy of the plans and specifications are on file in the Architectural Engineering Division of Public Works.

### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

There will be an anticipated 15 percent temporary loss of parking spaces in Parking Lots 5 and 7

during construction. Public Works will work with the contractor to minimize impacts to the operation of the respective parking lots.

**CONCLUSION**

Please return one adopted copy of this letter to the Chief Executive Office, Facilities and Asset Management Division; Arts Commission; Department of Beaches and Harbors; and Department of Public Works, Project Management Division II and Watershed Management Division.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'W. T. Fujioka', with a long horizontal line extending to the right.

WILLIAM T FUJIOKA  
Chief Executive Officer

WTF:SHK:DJT  
SW:RB:rp

Enclosures

c: Executive Office, Board of Supervisors  
County Counsel  
Arts Commission  
Auditor-Controller  
Beaches and Harbors  
Public Works

October 8, 2013

**ATTACHMENT A**

**DEPARTMENT OF PUBLIC WORKS:  
MARINA DEL REY PARKING LOTS 5 AND 7 STORMWATER  
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UNINCORPORATED LOS ANGELES COUNTY  
CATEGORICAL EXEMPTION  
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(FOURTH DISTRICT) (3 VOTES)**

**I. PROJECT SCHEDULE**

<b>Project Activity</b>	<b>Scheduled Completion Date</b>
Project Program	01/30/12*
Design	
Jurisdictional Approvals	07/31/13*
Bid and Award	01/07/14
Construction	
Substantial Completion	07/31/14
Acceptance	10/30/14

\*Indicates completed activity.

## II. PROJECT BUDGET SUMMARY

Budget Category	Project Budget	Budget Adjustment	Revised Project Budget
Land Acquisition	\$ 0	\$ 0	\$ 0
Construction			
Low Bid Construction Contract	\$ 407,000	\$ 58,000	\$ 465,000
Change Orders (15 percent )	\$ 61,050	\$ 8,000	\$ 69,050
<b>Subtotal</b>	<b>\$ 468,050</b>	<b>\$ 66,000</b>	<b>\$ 534,050</b>
Programming/Development	\$ 0	\$ 0	\$ 0
Plans and Specifications			
Plans and Specifications	\$ 13,000	\$ 0	\$ 13,000
A/E Supplemental Agreements	\$ 6,000	\$ 0	\$ 6,000
<b>Subtotal</b>	<b>\$ 19,000</b>	<b>\$ 0</b>	<b>\$ 19,000</b>
Consultant Services			
Geotechnical/Soils Test	\$ 5,000	\$ 0	\$ 5,000
Material Testing	\$ 5,000	\$ 0	\$ 5,000
Environmental	\$ 30,000	\$ 45,000	\$ 75,000
<b>Subtotal</b>	<b>\$ 40,000</b>	<b>\$ 45,000</b>	<b>\$ 85,000</b>
Miscellaneous Expenditures			
Contract Compliance Monitoring	\$ 5,000	\$ 0	\$ 5,000
Printing	\$ 5,000	\$ 0	\$ 5,000
<b>Subtotal</b>	<b>\$ 10,000</b>	<b>\$ 0</b>	<b>\$ 10,000</b>
Jurisdictional Approvals			
Building and Safety Plan Check	\$ 2,000	\$ 0	\$ 2,000
Other (Regulatory Permits)	\$ 17,000	\$ 0	\$ 17,000
<b>Subtotal</b>	<b>\$ 19,000</b>	<b>\$ 0</b>	<b>\$ 19,000</b>
County Services			
Code Compliance and Quality Control Inspections	\$ 45,000	\$ 0	\$ 45,000
Contract Administration	\$ 30,000	\$ 0	\$ 30,000
Project Management	\$ 81,000	\$ 20,000	\$ 101,000
Project Management Support Services	\$ 10,000	\$ 0	\$ 10,000
Project Technical Support	\$ 18,050	\$ 1,200	\$ 19,250
Other (WMD, PDD, T/L, DES, etc.)	\$ 28,500	\$ 0	\$ 28,500
Consultant Contract Recovery	\$ 20,400	\$ 7,800	\$ 28,200
<b>Subtotal</b>	<b>\$ 232,950</b>	<b>\$ 29,000</b>	<b>\$ 261,950</b>
<b>Total</b>	<b>\$ 789,000</b>	<b>\$ 140,000</b>	<b>\$ 929,000</b>



October 8, 2013

**ATTACHMENT B**

**DEPARTMENT OF PUBLIC WORKS:  
MARINA DEL REY PARKING LOTS 5 AND 7 STORMWATER  
BEST MANAGEMENT PRACTICES PROJECT  
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PUBLISHING LEGAL ADVERTISEMENTS: In accordance with the State of California Public Contract Code Section 20125, you may publish once a week for two weeks in a weekly newspaper or ten times in a daily newspaper. Forward three reprints of this advertisement to Architectural Engineering Division, Department of Public Works, 900 South Fremont Avenue, 8th Floor, Alhambra, California 91803-1331.

**OFFICIAL NOTICE  
INVITING BIDS**

Notice is hereby given that the Director of Public Works will receive sealed bids for furnishings, materials, labor, and equipment required to complete construction for the following work:

<b><u>SD</u></b>	<b><u>SPECS</u></b>	<b><u>PROJECT</u></b>	<b><u>BID DOC. FEE</u></b>	<b><u>DATE OF BID OPENING</u></b>
4	7220	Marina del Rey Parking Lots 4360 and 4545 Admiralty Way Marina del Rey, CA 90292	<b>\$50</b>	11/05/13

Copies of the project manual and drawings may be downloaded for free from the Public Works website [http://dpw.lacounty.gov/go/construction\\_contracts](http://dpw.lacounty.gov/go/construction_contracts); or for \$50 copies of the project manual and drawings may be obtained at the Cashier's office, Department of Public Works, 900 South Fremont Avenue, Mezzanine Floor, Alhambra, California 91803. For bid information, please call (626) 458-2563. Each bid shall be submitted on the required form, sealed, and filed at the Cashier's office no later than 10:45 a.m. on November 5, 2013. Bids will be publicly opened, examined, and declared by Public Works at 11:00 a.m. on this date in Department of Public Works' Architectural Engineering Division's Conference Room, 900 South Fremont Avenue, Alhambra, California 91803.

Bids must conform to the drawings and project manual and all bidding requirements. This project requires the prime contractor to possess an active A license classification at the time of bid submittal. The contractor should verify to his/her satisfaction that he/she holds the correct license for this type of project.

The contractor and all of its subcontractors of any tier shall be required to pay prevailing wages to all workers employed in the execution of the work of improvement in accordance with Labor Code Section 1770 et seq. Copies of prevailing rate of per diem wages are on file at the Department of Public Works, Architectural Engineering Division, which shall be made available to any interested party upon request.

### **PRE-BID CONFERENCE**

The Public Works' Project Management Team will hold a prebid conference on October 17, 2013, at 10:00 a.m. at the 4545 Admiralty Way project job site (Parking Lot 5) to provide information on the project, bidding process, and answer any questions that the potential bidders may have. For further directions, please contact Ms. Annie Tran with the Public Works' Architectural Engineering Division at (626) 300-2314.

### **OTHER INSTRUCTIONS**

The County supports and encourages equal opportunity contracting. The contractor shall make good faith efforts, as defined in Section 2000 of the Public Contract Code, to contract with Community Business Enterprises.

The Board of Supervisors reserves the right to reject any or all bids or to waive technical or inconsequential errors and discrepancies in bids submitted in the public's interest.

Si necesita información en español, por favor llame al Telefono (626) 458-2563



Upon 72 hours notice, Public Works can provide program information and publications in alternate formats or make other accommodations for people with disabilities. In addition, program documents are available at our main office in Alhambra (900 South Fremont Avenue), which is accessible to individuals with disabilities. To request accommodations ONLY, or for more ADA information, please contact our departmental ADA Coordinator at (626) 458-4081 or TDD (626) 282-7829, Monday through Thursday, from 7 a.m. to 5:30 p.m.



Con 72 horas de noticia, el Departamento puede proveerle información y publicaciones sobre el programa y formatos alternativos o hacer adaptaciones para incapacitados. Además, documentación sobre el programa está disponible en nuestra oficina principal en Alhambra (900 South Fremont Avenue), la cual es accesible para individuos con incapacidades. Para solicitar adaptaciones SOLAMENTE, o para mas información del ADA, pongase en contacto con nuestro Coordinador del ADA del Departamento al (626) 458-4081 o TDD (626) 282-7829, de lunes a jueves de las 7 a.m. a 5:30 p.m.

By order of the Board of Supervisors of the County of Los Angeles, State of California dated October 8, 2013.

Specs. 7220

SACHI A. HAMAI, EXECUTIVE OFFICER  
OF THE BOARD OF SUPERVISORS  
OF THE COUNTY OF LOS ANGELES